

Remarks/Arguments

The specification is amended in response to Examiner's objections. No new matter has been added to the specification.

A corrected drawing is submitted in response to the Draftperson's Objections. No new matter has been added to the drawing.

Claims 1-17 are pending in the application. Claims 1-17 stand rejected. Claims 1, 6, 7, 11, 12, and 16 are amended to correct minor informalities. Claims 11 and 15 are amended to spell-out the acronym, "CE". In addition, subject to the discussion below, Claims 1, 7, 11, 15, 16, and 17 are amended to emphasize certain patentable features of the invention. No new matter has been added to the claims. Reconsideration of claims 1-17 is requested.

Claim 18 is new. Support for claim 18 is found throughout the specification, including page 8, for example. Entry of claim 18 is requested.

Claims Rejections Under 35 USC § 102(e)

Claims 1-17 are rejected under 35 U.S.C. §102(e) as being anticipated by Allport (U.S. Patent No. 6,104,334). Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991).

The Allport reference cannot anticipate the present invention because it does not recite all claimed features, particularly the recited "customer base" limitation. As recited in Applicant's claims and supported by the specification, a customer base comprises a plurality of user-profiles. Each user profile may comprise a list of the user's consumer electronics equipment. In other embodiments the customer base may comprise demographic information.

The customer base is compiled from information associated with a plurality of remote-control devices. In contrast, Allport teaches storing information to the remote

device. Specifically, the Office Action calls attention to Allport at column 8, lines 52-57, which discloses storing “desired lists and their associated information to the remote control’s memory.” Allport’s “desired lists” refers to “recommended viewing or listening lists from well-known organizations or other critics.” Col. 8 lines 49-50. Allport’s desired list is not the same as the customer base recited in the Applicant’s claims, which is based on user profiles.

For at least the foregoing reasons, claim 1 is patentably distinct over Allport. Claims 2-6 depend from claim 1 and therefore also are patentably distinct.

Claims 7, 11, 15, 16, and 17, as presently amended, also recite the customer base and are patentably distinct. Claims 8-10 depend from claim 7 and therefore are also patentably distinct. Similarly claims 12-14 depend from claim 11 and therefore too are patentably distinct.

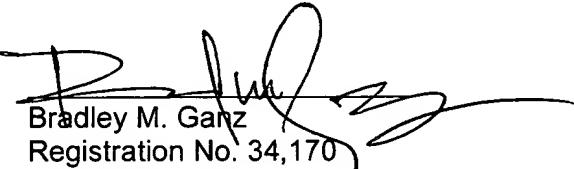
Claim 2 is patentably distinct as originally submitted and independent of amendment to its base claim 1. Claim 2 includes the limitation of “enabling the consumer to manipulate the data....” This limitation is not recited in Allport. As discussed above, Allport discloses that the “remote control may be programmed using an integrated graphical keyboard for simple tasks such as entering and modifying passwords.” (Allport at col. 8, lines 30-36). Applicant’s claim limitation of data manipulation is not the same as the simple programming of passwords disclosed by Allport. Reconsideration of claim 2 is requested for at least this reason.

(In view of the foregoing reasons for distinguishing over the cited references, Applicant has not raised other possible grounds for traversing the rejections, and therefore nothing herein should be deemed as acquiescence in any rejection or waiver of arguments not expressed herein.)

Conclusion

Applicant submits that in view of the foregoing arguments and/or amendments, the application is in condition for allowance, and favorable action is respectfully requested. The Commissioner is hereby authorized to charge any fees, including extension fees, which may be required, or credit any overpayments, to Deposit Account No. 50-1001.

Respectfully submitted,



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